

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

AMY FULLER, §  
Plaintiff, §  
v. §  
KILOLO KIJAKAZI, Acting §  
Commissioner of Social Security, §  
Defendant. §

§ EP-22-CV-00133-FM-MAT

**ORDER ADOPTING THE REPORT AND RECOMMENDATION OF THE  
MAGISTRATE JUDGE**

On this day, the Court considered the “Report and Recommendation of the Magistrate Judge” (“R & R”) filed in the above-captioned case by United States Magistrate Judge Miguel Torres (“Judge Torres”) on August 22, 2023.<sup>1</sup> Therein, Judge Torres recommends that the District Court remand the Acting Commissioner of the Social Security Administration’s (“Commissioner”) decision to deny Plaintiff Amy Fuller’s (“Plaintiff”) application for supplemental security income and disability insurance benefits.<sup>2</sup>

Because neither party objected to Judge Torres’ R & R, the court has reviewed if for clear error.<sup>3</sup> As the court finds no clear error, the R & R will be approved and adopted in full. Consistent with the R & R, the decision of the Commissioner in denying Plaintiff’s application for supplemental security income and disability insurance will be reversed and remanded.

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<sup>1</sup> “Report and Recommendation” 1, ECF No. 28, entered Aug. 22, 2023.

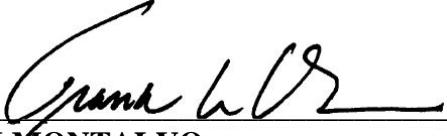
<sup>2</sup> *Id.*

<sup>3</sup> *Douglass v. United Servs. Auto. Ass’n*, 79 F.3d 1415, 1420 (5th Cir. 1996) (en banc), superseded by statute on other grounds, 28 U.S.C. § 636(b)(1).

Accordingly, it is **HEREBY ORDERED** that United States Magistrate Judge Miguel Torres' "Report and Recommendation" [ECF No. 28] is **APPROVED** and **ADOPTED**.

It is **FUTHER ORDERED** that Commissioner's final decision is **REVERSED** and **REMANDED** for further administrative proceedings in accordance with the Report and Recommendation.

**SIGNED AND ENTERED** this 7th day of **September 2023**.



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**FRANK MONTALVO**  
**SENIOR UNITED STATES DISTRICT JUDGE**